

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

RICHARD WILTSIE,  
Plaintiff(s),

CASE NO.:2:05-CV-74746-DT

vs.

HON. PAUL D. BORMAN  
MAG. JUDGE WALLACE CAPEL

COGNEX CORPORATION,  
Defendant(s),

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**ORDER ON REMAND FROM DISTRICT  
COURT JUDGE**

This matter came before the Court for hearing on the Order Remanding To The Magistrate Judge To Set Forth Specific Reasons For Denying Plaintiff's Motion To Compel As To Documents Not Compelled, filed on October 25, 2006.

Having heard oral argument on this matter, and for the reasons stated on the record at the hearing held on November 20, 2006, the following items on the Defendant's Privilege Log are deemed to be either protected under the work-product doctrine or attorney-client privilege doctrine: Numbers 1-11, 15, 18-21, 29, 34, 35, 40, 42-45 and 50. The transcript of the hearing held on August 3, 2006, bears out the reasoning for this finding.

As stated in the transcript of the hearing held on August 3, 2006, an exhaustive review of the submitted documents was conducted *in camera*. After that review, I found that as long as the substance of the e-mails in question have been provided to counsel, that would be sufficient. I further found that the documents in question which should not be turned over meet the standard of either work-product or attorney-client privilege.

**IT IS SO ORDERED.**

The parties are hereby informed that any objections to this order must be filed with the district court within ten days after service, pursuant to Rule 72(a), Federal Rules of Civil Procedure.

**DATED: November 20, 2006**

**s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR  
United States Magistrate Judge**

**CERTIFICATE OF SERVICE**

I hereby certify that on **November 20, 2006**, I electronically filed the foregoing paper with the Clerk of the Court using the E.C.F. system which will send notification of such filing to the following: John F. Birmingham, Jr. Term L. Johnson, Jeffrey S. Kipp, Jennifer L. Neumann, Michael L. Pitt, and I hereby certify that I have hand delivered/ mailed by United States Postal Service the paper to the following non-EC. participants: not applicable.

s/ James P. Peltier  
James P. Peltier  
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